

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

TIMOTHY DUFOUR,

No. C 09-03770 CRB (LB)

Plaintiff(s),

v.

**NOTICE OF REFERRAL AND
ORDER RE DISCOVERY
PROCEDURES**

BE LLC,

Defendant(s).

TO ALL PARTIES AND COUNSEL OF RECORD:

The district court has referred Plaintiffs' Motion for Protective Order and Motion to Compel, electronically filed on August 27 and September 16, 2010, respectively, which are discovery matters, to United States Magistrate Judge Laurel Beeler. The Motion for Protective Order was noticed for October 1, 2010, and the Motion to Compel was noticed for October 22, 2010.

The Court **VACATES** the current hearing dates and **DENIES** the pending discovery motions without prejudice and directs the parties to comply with the procedures for addressing discovery disputes set forth in Judge Beeler's standing order (attached). Those procedures require, among other things, that if a meet-and-confer by other means does not resolve the parties' dispute, lead counsel for the parties must meet and confer **in person**. If that procedure does not resolve the disagreement, the parties must file a joint letter for each discovery dispute instead of a formal motion. If the parties are unable to resolve their disputes and proceed with the joint letter process required by the standing order, they shall file the joint letters no later than October 21, 2010. After reviewing the joint letters, the Court will evaluate whether further proceedings are necessary,

1 including any further briefing or argument.

2 **IT IS SO ORDERED.**

3 Dated: September 28, 2010



LAUREL BEELER
United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28